

Court of Appeals, Division One

Civil Appeal

1 CA-CV 16-0727

RPF HOLDINGS, et al. v. JOHNSON, et al.

Appellate Case Information

Case Filed: 8-Dec-2016

Case Closed:

Dept/Composition

Side 1. RPF HOLDINGS LLC, et al., Plaintiff/Appellant

(Litigant Group) RPF HOLDINGS LLC, et al.

- RPF Holdings LLC, Counter-Defendant, Third-Party Defendant
- Royal Palm Foods LLC, Third-Party Defendant, Appellant
- Eric D Pomeroy, Third-Party Defendant, Appellant
- Sara J Pomeroy, Third-Party Defendant, Appellant

Attorneys for: Plaintiff/Appellants RPF

Mark I Harrison, Esq. (AZ Bar No. 1226)

(Litigant Group) JAMES STEWART, et al.

- James Stewart
- Jane Doe Stewart

Attorneys for: Plaintiff/Appellants Stewart

Philip J Nathanson, Esq. (AZ Bar No. 13624)

Side 2. JOSH J JOHNSON, et al., Defendant/Appellee

(Litigant Group) JOSH J JOHNSON, et al.

- Josh J Johnson
- Rachael Johnson

Attorneys for: Defendants/Appellees Johnson

Gregory B Collins, Esq. (AZ Bar No. 23158)

Callie P Maxwell, Esq. (AZ Bar No. 28339)

(Litigant Group) IAN LEV, et al.

- Ian Lev, Counter-Claimant
- James T Bell, Counter-Claimant
- Bob Crum, Counter-Claimant
- Bruce Lev, Counter-Claimant
- Gideon King, Counter-Claimant
- Jace Johnson, Counter-Claimant
- Jamie Kempner, Counter-Claimant
- Joanne Johnson, Counter-Claimant
- Lisa Kruczynski, Counter-Claimant
- Nikki Robinson, Counter-Claimant
- Norman Mintz, Counter-Claimant
- Michael Kanan, Counter-Claimant
- Said Armutcuoglu, Counter-Claimant
- Scott Howard, Counter-Claimant
- Toni Alexander, Counter-Claimant
- Ward Bell, Counter-Claimant
- Ward T Bell & Associates - Profit Sharing Plan, Counter-Claimant
- Wolschon Family LLC, Counter-Claimant
- Kristi Bell, Third-Party Plaintiff, Appellee
- Jeff Smith, Third-Party Plaintiff, Appellee
- Blaise Biller, Third-Party Plaintiff, Appellee
- Tom Vasilatos, Third-Party Plaintiff, Appellee
- Nancy DiMarco, Third-Party Plaintiff, Appellee

Attorneys for: Defendants/CounterClaimants/Appellees

Craig T Irish, Esq. (AZ Bar No. 10016)

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CASE STATUS

Jan 25, 2017....Stayed (until 3/14/17)

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2012-057118	Rescission of Transaction; Cancellation of Notes		Aimee L Anderson, Authoring Judge of Order		
MAR CV2013-002615	Breach of Contract; Fraud in the Inducement; Negligent Misrepresentation				

2 OPEN DUE DATES

Additional Record Due **Due By:** Monday, March 13, 2017

signed orders and judgment

*Re: * ORDERED: Third Party Defendant James Stewart's Motion to Stay this Appeal and to Revest Jurisdiction in the Superior Court Pursuant to Eaton Fruit = GRANTED/staying this appeal to/including 03/13/2017, and revesting jurisdiction in Superior Court of Mar*

Opening Brief due **Due By:** Wednesday, April 12, 2017

(vacated per order filed 01/04/2017)-cdc

(reinstated per order filed 01/25/2017)-cdc

[1 extension]

Re: FILED: Notice to Parties re: Appellants' Fee/Case Management Statement/Brief Due

19 PROCEEDING ENTRIES

- 8-Dec-2016 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/11/16
- 8-Dec-2016 FILED: e-Record on Appeal (CV2012-057118):
Instruments/Minute Entries
Exhibits: None
- 8-Dec-2016 FILED: e-Record on Appeal (CV2013-002615):
Instruments/Minute Entries
Exhibits: None
- 20-Dec-2016 FILED: Notice to Parties re: Appellants' Fee/Case Management Statement/Brief Due
- 3-Jan-2017 FILED: Third Party Defendant James Stewart's Motion to Stay this Appeal and to Revest Jurisdiction in the Superior Court Pursuant to Eaton Fruit; Certificate of Service re: James Stewart's Motion to Stay this Appeal and to Revest Jurisdiction in the Superior Court Pursuant to Eaton Fruit (Appellant)
- 4-Jan-2017 ORDERED: vacating the 02/21/2017 due date for the opening brief. The order ruling on the pending motion to stay will set a due date for filing the opening brief. Melina Brill ProTem Judge - Author
- 6-Jan-2017 RECEIPT No.: 2017-00027 ; \$280.00, Authorization: #05014268532, Applied to: RPF HOLDINGS LLC, et al. - Class A Filing Fee (\$280.00) Paid for: The Nathanson Law Firm - By Integrated Resource Systems IN
- 9-Jan-2017 FILED: James Stewart Motion to Extend Time to File a Case Management Statement; Certificate of Service (Appellant)
- 10-Jan-2017 ORDERED: James Stewart Motion to Extend Time to File a Case Management Statement (Appellant) = DENIED. FURTHER ORDERED: case management statement due 01/20/2017. Melina Brill ProTem Judge - Author
- 12-Jan-2017 FILED: Notice of Appearance; Certificate of Service (Appellants RPF)
- 17-Jan-2017 RECEIPT No.: 2017-00070 ; \$280.00, Authorization: #05014268532, Applied to: JAMES STEWART, et al. - Class A Filing Fee (\$280.00) Paid for: The Nathanson Law Firm - By Integrated Resource Systems IN (Memo: Xref 2017-00027)
- 17-Jan-2017 VOID RECEIPT No.: 2017-00027 - \$-280.00, Authorization: #05014268532, - Applied to: RPF HOLDINGS LLC, et al. - Class A Filing Fee (\$-280.00) Paid for: The Nathanson Law Firm - By: Integrated Resource Systems IN VOID Reason: x-ref 2017-00070 applied to incorrect account.alc
- 17-Jan-2017 RECEIPT No.: 2017-00077 ; \$280.00, Authorization: #17012072319, Applied to: RPF HOLDINGS LLC, et al. - Class A Filing Fee (\$280.00) Paid for: Osborn Maledon PA - By Integrated Resource Systems IN
- 20-Jan-2017 FILED: Notice of Non-Opposition; Certificate of Service of Notice of Non-Opposition (Appellee Josh Johnson)
- 20-Jan-2017 FILED: Case Management Statement (Appellants Stewart)

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19 PROCEEDING ENTRIES

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| 16. | 23-Jan-2017 | FILED: Notice of Non-Opposition; Certificate of Service (Appellee) |
| 17. | 25-Jan-2017 | RECEIPT No.: 2017-00115 ; \$140.00, Authorization: #24011958785, Applied to: JOSH J JOHNSON, et al. - Class B Filing Fee (\$140.00) Paid for: Kercksmar & Feltus PLLC - By Integrated Resource Systems IN |
| 18. | 25-Jan-2017 | ORDERED: Third Party Defendant James Stewart's Motion to Stay this Appeal and to Revest Jurisdiction in the Superior Court Pursuant to Eaton Fruit = GRANTED/staying this appeal to/including 03/13/2017, and revesting jurisdiction in Superior Court of Maricopa County for purpose of permitting that court to consider an application by appellants for signed orders corresponding to minute entry orders dated 08/23/2016, and filed 08/24/2016, and, if applicable, for a signed judgment with a certification of finality pursuant to Rule 54 (c). FURTHER ORDERED: if superior court grants appellants' application, appellants shall file a copy of signed orders and judgment within 10 days after entry. FURTHER ORDERED: signed orders and a judgment have been filed prior to 03/13/2017, opening brief shall be due 04/12/2017. Melina Brill ProTem Judge - Author |
| 19. | 26-Jan-2017 | RECEIPT No.: 2017-00121 ; \$140.00, Authorization: #25012885402, Applied to: IAN LEV, et al. - Class B Filing Fee (\$140.00) Paid for: Brier Irish Hubbard & Erhart PLC - By Integrated Resource Systems IN |